8380254/2024/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department - Formation of road in Lingamparthy Reserve Forest in Compt. No.587 from Konda Timmapuram to China Vanthada in Yeleswaram Mandal – Illegal transportation of Laterite – Violation of Forest Conservation Act, 1980 & A.P. Forest Act, 1967 – Common disciplinary proceedings initiated – Inquiry under Rule-20 of A.P. Civil Services (CC&A) Rules, 1991 against **Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram** – Articles of Charges – Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Sec.IV) DEPARTMENT

G.O.Rt.No.5 **Dated:03.01.2024.**

Read the following:

1)From the Director General, Vigilance & Enforcement Department, Vigilance Report No.55 (C.No.1678/V&E/NR-1/2016), dated 21.12.2018.
2)Memo.No.119/Sec.IV/A1/2019, EFS&T (Sec.IV) Department, dated 29.12.2023.

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ORDER:

It is proposed to hold an inquiry against Sri R. Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram in accordance with the procedure laid down in Rule-20 of the A.P. Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram, is informed that he is directed to submit a written statement of his defense within (10) days from the date of receipt of this order.

4. Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram, is informed that the inquiry will be held only in respect of those Articles of Charges as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5. Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram, is further informed that if he does not submit his written statement of defense within the time specified in Para-3 above, further action will be taken based on the material available.

6. Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram, is informed that under Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964, no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it

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will be presumed that Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the A.P. Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri R. Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram through the Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District.

Copy to:

The Director of Mines & Geology, A.P., Ibrahimpatnam, Krishna District. (He is requested to serve the order on the individual, obtain his dated acknowledgment on the duplicate copy and resubmit the same to Government for record)

SF/SC (Computer No.1455666).

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI ROWTHU GOLLA, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM

That, Sri Rowthu Golla, while working as Assistant Director of Mines & Geology, Rajamahendravaram, the following irregularities have taken place in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

Charge-I:

Ignored the instructions of the DM&G, Hyderabad vide Memo.No. 2931/PPC2/97, dated 06.05.2000 and failed to submit the copies GPA & MoU submitted by Sri P. Seshagiri Rao, GPA holder to Smt. Kude Lakshmi on 22-09-2015 to the DM&G, which was in his notice as:-

a) he endorsed the same letter to the Superintendent to examine the irrevocable GPA.
b) the monthly return for mining transport permits for the months of September and October 2015 received by him were signed by Sri P. Seshagiri Rao, GPA holder of Smt. Kude Lakshmi.
c) failed to submit the counter affidavit for the affidavit filed by Sri P. Seshagiri Rao GPA of Smt. Kude Lakshmi though not eligible for filing the affidavit even after the Government Pleader had intimated by a letter on 06.08.2015.

Charge-II:

Intenationally issued transit permits by violating the rules and failed to take action on the violating of mining conditions stipulated in G.O. No.147, dated.23.11.2013 and EC Conditions.

Thus, Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE-II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST SRI ROWTHU GOLLA, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM

Sri Rowthu Golla, the then Assistant Director of Mines & Geology, Rajamahendravaram the following irregularities have taken place in respect of Mining Lease held by Smt. Kude Lakshmi for Laterite in Vanthada village, Prathipadu Mandal, East Godavari District in Sy.No.7/1, 7/2, 10/p, 12/p, 16 & 17/p over an extent of 10.417 Hectares.

i) (a) Assistant Director of Mines and Geology received the copies of 'GPA/MoU enclosed to the letter dated.21.09.2015 addressed by Sri P. Seshagiri Rao, GPA holder on 22.09.2015 on which he had endorsed to the Superintendent to examine the irrevocable power of Attorney. He also admitted that he had not insisted the lease condition No.17 and 18 which is a violation. Had he submitted the copies of GPA/MOU to the Director, Mines & Geology as per his instructions vide memo No.2931/ PPC2/97, dt.06.05.2000, the action as per rules would have been taken by the Director, Mines &Geology.He failed to submit the copies of GPA/MoU to the DM&G, Hyderabad. Hence he failed to discharge his duties.

(b) the monthly returns dt.13.11.2015, in format F3 alongwith failed stationery permits signed and submitted by Sri P. Seshagiri Rao, GPA for the months of September and October 2015 on behalf of Smt Kude Lakshmi were signed by Sri Rowthu Golla, the then ADM&G, Rajamahendravaram and endorsed to the Superintendent. The subsequent further correspondence done by Sri P. Seshagiri Rao, GPA was also in the knowledge of Sri Rowthu Golla. Knowing that the GPA is not permitted as per MC rules 1960 & covenant 17 & 18, he would have recommended for cancellation of the Mining lease for violation of the Mineral Concession Rules, 1960. But he kept quiet and continued issuing mining permits for Kude Lakshmi mining lease holder which indicates that he is in collusion with Mining lease holder.

(c) The counter affidavit for the writ of mandamus filed by Smt Kude Lakshmi represented by his GPA Sri P. Seshagiri Rao in the Hon'ble High Court was not submitted by Sri Rowthu Golla, the then Assistant Director of Mines & Geology, giving chance for the mining lessee for transporting the material through Reserve Forest illegally. Moreover when the Government Pleader requested for discussions personally, he would have attended and obtained the affidavit copy for filing counter affidavit. He intentionally avoided filing counter affidavit to favour the Mining Lessee. Had he gone through the affidavit, he would have observed that the same was signed and filed by Sri P. Seshagiri Rao, GPA holder as representative of Smt Kude Lakshmi. If the GPA/MOU was not in his notice, he would have appraised the Hon'ble Court that the GPA is not valid as per MC Rules, 1966 and Director, Mines & Geology instructions.

ii) Being head of the office, it is responsibility of the ADM&G to check the reliability of mining activities before issuing transport permits. Also it is his responsibility to see that mining lease conditions of 4(a) to (h) in G.O.Ms. No.147, dt.23.11.2013 shall not be violated. But the Assistant Director of Mines & Geology failed to take action on the violations of mining conditions stipulated in G.O.Ms.No.147 dt.23.11.2013. In the approved EC, it is clearly mentioned that the mining is open cast manually as no machinery shall be used.

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Thus, the Government Servant by the above mentioned acts has exhibited lack of integrity, devotion of duty and conduct unbecoming of a government servant and thereby violated Rule 3(1)(2) of A.P. Civil Services (Conduct), Rules, 1964.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES FRAMED AGAINST SRI ROWTHU GOLLA, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1) Vigilance Report No.55 (C.No.1678/V&E/NRI/2016), dated 21.12.2018.

2) G.O.Ms.No.147, Industries & Commerce Department, dated 23.11.2013.

3)Letter, dated 06.08.2015 from the Government Pleader of Industries & Commerce Department on 10.08.2015.

4) Copy of the lease Deed.

5) Letter W.P.No.24556/2015/Industries, dated 06.08.2015 of Government Pleader of Industries & Commerce.

6) Letter dated.13.11.2015 along with Form F3 submitted by Sri P. Seshagiri Rao.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI ROWTHU GOLLA, THE THEN ASSISTANT DIRECTOR OF MINES & GEOLOGY, RAJAMAHENDRAVARAM ARE PROPOSED TO BE SUSTAINED.

1) Sri Lingaraj Banakar, Complainant, PragathiSamaj, Dalakasoti Village.
2) Officials of the Vigilance and Enforcement Department.
3) Sri P. Seshagiri Rao, GPA holder and Smt. K. Lakshmi.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER //

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